



## Dulles Direct December Newsletter

Welcome to the December edition of the Dulles Direct Newsletter. I hope you are having a wonderful holiday season. I wish you all a very Merry Christmas and a prosperous 2015!

Even if Santa isn't generous this year, at least we have all received one good Christmas present with the opening of the third westbound lane on Route 50 last week. This should be a significant difference in the ride home for many commuters. VDOT and Shirley got the work done months ahead of schedule in an effort to respond to the many frustrations we have all felt. I am appreciative of the adjusted work plan and the extra effort that was made. All that said, the project is still not finished, and there is still much work to be done, including final paving in both directions and the installation of loop sensors at traffic signals that will be more durable. Work will also begin soon on the planned spur at Route 28 southbound and 50 westbound. I will continue to communicate about delays and lane closures as a result of the additional work.

Thank you to those of you who joined me for my quarterly Dulles Direct Town Hall meeting at Mercer Middle School. That was my 12th town hall meeting and the biggest turnout we've had, with over 120 people! For those of you who missed it, I was joined by Board of Supervisors Chairman Scott York and representatives of two projects--Dulles Landing Shopping Center and Avonlea Town Center. It was a very informative discussion about retail. Given the interest, there is a recap of our discussion in this newsletter.

### LEGISLATIVE UPDATES

#### **Brambleton Rezoning**

Earlier this month, Brambleton was before the Board with applications to rezone Landbays 1, 3, and 5 of their community (on the west side) to build an additional 135 single family units and 323 townhouses, and to build 48 residential units in Brambleton Town Center. In return,

Brambleton is offering to provide Loudoun County Public Schools with two additional schools sites—for a high school and a middle school—and accelerate a planned elementary school site.

Stone Hill Middle School and several elementary schools in this area are very overcrowded, and voters just approved a bond referendum in November to build a new middle school and elementary school. Of course, the reason why the schools are so overcrowded is because of all the rapid development that has occurred in this area, and in my view, inadequate proffers to deal with it. That is why I wanted a firm commitment from Brambleton that they should not be permitted to build any more homes until the County has a firm commitment from them to construct their portion of Loudoun County Parkway.

Ultimately, a majority of the Board took that position. Just minutes before the Board's public hearing to consider Brambleton's application to build more homes, the Board received a letter from their law firm indicating that Brambleton would agree to build their portion of Loudoun County Parkway prior to obtaining the first zoning permit for any of the new homes in the proposed project.

This language will need to be reviewed by the County Attorney's Office, and there remain a few other issues with the applications. The Board voted to further discuss this issue at the Transportation and Land Use Committee, tentatively scheduled for January 14 at 3:30. I expect a final vote on the applications will occur at the January 21 business meeting.

Unfortunately, one of my colleagues on the Board chose to publicly characterize my position on this issue as “misleading,” which led to a story in the Loudoun Times-Mirror. I remain baffled by this “disagreement” since we both ultimately supported pushing Brambleton for the new proffer. While one can agree or disagree with the position I have taken, there was nothing misleading or untrue about anything I’ve said about this project. The fact is, until the Board’s Public Hearing, the County had no commitment from Brambleton to build Loudoun County Parkway other than the proffer on their Active Adult project, which was approved years ago and has never been started. That’s why I wanted a new commitment. Brambleton is working on Loudoun County Parkway now, but they could have stopped work tomorrow for whatever reason and the County would be once again stuck. I’ve been pretty consistent on this point for quite some time, and those of you that have been in meetings with me where this has been discussed have heard me say it.

That distraction aside, here’s exactly where we stand on the construction of the missing link of the Parkway that is split into three parts:

-Northern section, proffered by Toll Brothers: The trigger on this was Brambleton beginning work on the middle section. Toll Brothers has made a great deal of progress and has to complete the project because their proffer has already been triggered (Loudoun Valley Estates).

-Middle section, proffered by Brambleton: This is the section that now will have a new proffer related to Brambleton's new application. Brambleton has begun construction of this section, but since the old proffer on the Active Adult project was not triggered, they could legally stop at any time. Brambleton has another application for more housing units that is coming next year, and I

expect it to be controversial. I think this application could have had an impact on the pace of Brambleton's work if it was not tied to the application we are considering now. With this commitment, Brambleton must have the middle section completed before they can pull any zoning permits, and if they continue to work at the current pace, they could be done in 6-12 months.

-Southern section, to be built by the 606 widening project (VDOT): County staff has brokered an agreement between Brambleton and VDOT to ensure that the middle section of Loudoun County Parkway ties into 606. The VDOT and Brambleton designs were not consistent and didn't align properly, and the original 606 design had curbs where the intersection should. There is now an agreement in place that sets the alignment and ensures that the tie in will work. The work here cannot be completed until spring of 2017, mostly due to the amount of utility relocation that must occur at the intersection point.

The bottom line is that if the Board approves Brambleton's application, we will now have certainty on all three sections, and spring 2017 would be the tentative open date for Loudoun County Parkway. I'm pleased that we're finally close to having a resolution. I will provide further updates in January as this application continues to be worked on.

### **Lim Property**

At the December 10 Public Hearing, the Board approved the Lim Property application to build 80 townhomes at the intersection of Belmont Ridge Road and Croson Lane. Given where we are in terms of infrastructure, it is fair to say that I'm not exactly thrilled with adding more homes, but the reality of this particular situation is that I didn't think the Board had much of a choice for legal reasons, and the applicant made a very significant effort to work with the County during this process to improve the application. The property has some real challenges associated with it (its basically sort of a junkyard/dumping ground) and developing it for any use is expensive. Realistically, housing is about the only thing that will probably be viable—the County's estimates put basic development costs at \$2 million +. For legal reasons, the Board had to consider the decisions that were made on surrounding parcels over the last decade, and this application was similar in nature to many of those.

At our request, the number of units was reduced from 120 to 80 and the applicant proffered a pedestrian trail alongside Croson Lane and the planned traffic signal at Belmont Ridge Road and Croson Lane. Although the buffer on the eastern edge of the property was reduced, we asked that the existing mature tree line be kept in place and the applicant has agreed to do that. The application was supported by staff, and the Board's vote was unanimous.

### **LCPS Self-Insurance Fund Gap**

Back in October, I mentioned that the Loudoun County School Board voted (6-3) to request \$12.5 Million in order to cover a deficit in their health care fund. The school health care fund ran a deficit of \$11 million in FY13 and \$3 million so far in FY14. At this month's Finance and Government Services and Operations Committee meeting, we recommended the full Board

consider \$7 Million to address the shortfall and that the School Board create a plan to recover the rest and make certain this doesn't happen again.

If you'll recall, the School Board referenced action taken in FY2010 by the Board of Supervisors to reclaim \$12.5 million in surplus funding from the LCPS insurance account. In FY2010 (calendar year 2009), the housing market had fallen and so had County revenues. The Board of Supervisors was dealing with an overall projected year end deficit and they instructed staff to sweep all accounts of any entity funded by the Board for surplus funds. Keep in mind, all these funds are taxpayer dollars, and they were appropriated by the Board of Supervisors in the first place. The code of Virginia specifically gives the Board of Supervisors the authority to reclaim unspent taxpayer funds.

The School Board has tried to make the argument that if the Board hadn't taken back the surplus 5 years ago, the account would not be running a deficit today. That doesn't address the fact that corrective action should have been taken much sooner to ensure that the LCPS health insurance plan was funded. Before we can move past this situation, the Board of Supervisors needs an explanation as to exactly how this happened. Taxpayers are forced to cover the shortfall, and deserve an explanation. If the School Board was not made aware, than that is a very serious issue. If they were and chose not to act—which I don't believe was the case—than that would also be something that voters should be aware of. Either way, our CFO has described this situation as a poor accounting and management practice, and on the County side we work extremely hard to avoid anything that could impact our bond ratings and reduce confidence in the fiscal management of the County.

Health care costs are a huge problem for almost everyone. Certainly those of us who receive coverage through the private sector have seen it—I certainly have as my costs have risen considerably. The County has had similar issues. The difference is that we took aggressive, corrective action early on to make sure that our plan wouldn't run a deficit. Unfortunately, that included raising premiums for County employees over the last several years, among other changes. I don't take any pleasure in having to do that, but at the end of the day we need a solvent plan. However, since LCPS did not take corrective actions, there is a gap in the cost and coverage of the County and the LCPS plans. To me, it is unfair that County employees have had to pay more while LCPS employees did not, and now the County government has to bail out the school plan. The School Board did take action last year, and deserves credit for that. (Again, as I mentioned, it does not appear that they even knew about this problem before this year, even though the Actuary report provided to LCPS identified it). But it is too early to know if it is enough to make the plan solvent. We'll certainly be watching it closely.

## **PUBLIC SAFETY UPDATE**

### **Stone Ridge Fire**

There was a fire in a new Ryland Homes condominium in Stone Ridge last week. This fire was the second in this type of unit and drew a detailed investigation by the Loudoun County Fire Marshal's Office. With the most recent fire, units from Dulles, Brambleton, Aldie, Moorefield,

MWAA, Fairfax County and the Fire Marshal's Office responded to a call at 24688 Caribou Square. Arriving units found fire in the walls in the master bathroom with some extension into the attic. Fortunately, no one was injured. The Fire Marshal's Office then investigated for an origin and cause. Currently, they believe it was an accidental fire that started in the attic due to blown in insulation that was resting against the housing of a recessed light fixture located in the ceiling above the shower in the master bathroom. The Fire Marshal strongly encourages you to inspect your lights in order to prevent another incident.

The fixture is a P821-FB Progress lightening 6" incandescent light. The manufacturer of this light housing is specific that a 3 inch separation between the housing and the insulation must exist. This same housing fixture is also believed to be above the tub in the master bath. At this time, the Fire Marshal's Office does not believe this is a faulty light fixture housing, wiring or electrical installation.

On Saturday, firefighters from the Dulles South Safety Center went door-to-door along Canary Grass Square, Caribou Square, and Shore Crest Terrace (homes along Sea Cliff and Jackalope have a different fixture which was retrofitted by Ryland). Firefighters alerted residents to the issue and distributed fliers advising residents to remove the insulation from around the recessed light housing to provide for a 3 inch separation.

If you have other recessed lighting that a joins the attic space (such as the recessed light above the tub in the master bath) the Fire Marshal's office suggests you determine if you have the same light housing and if so, remove the insulation to provide for the same 3 inch separation around the housing. If there is any indication of heat damage, such as discoloration of wood, insulation, wiring, etc. or if you have a concern with the installation, and continued safety of your home, you are encouraged to hire a licensed, bonded and insured contractor to inspect the insulation surrounding the housing and the installation of the light. And if you are uncomfortable accessing your attic, inspecting for heat damage, or identifying what light housing you have installed, you are encouraged to have a licensed, bonded, and insured contractor assess the area around your light to assure the insulation is at least 3 inches away from the housing, and examine for any heat damage.

## **TOWN HALL RECAP—RETAIL AND TRANSPORTATION**

### **Retail**

As I mentioned before, we had a great Town Hall where we focused largely on retail development in the area. Representatives of the Beatty Companies gave us an update on Dulles Landing, the shopping center currently under construction at Loudoun County Parkway and Route 50. Dulles Landing is currently Beatty's largest project and they currently plan to open next Spring around the April-May timeframe.

Beatty's presentation largely focused on Phase 1 which will include the following retailers: Walmart, Dick's Sporting Goods, Homegoods, TJMaxx, Ross, Michael's, PetSmart, Famous Footwear, Five Below, and Sleepy's. Beatty said that Walmart has told them that the

store under construction is the nicest they've ever built in the United States. Thus far, restaurants will include: Dunkin' Donuts, Smashburger, Papa John's, Sarku, and Kiwi Frozen Yogurt (more on that below). Beatty is also in negotiations with other tenants and in the process of re-designing one section of their property. You can find more information at <http://www.dulleslanding.com/>.

We were also joined by the Peterson Companies which will be developing the Town Center of Avonlea, in front of the Avonlea community near the existing CVS at Pinebrook Road off of 50. The Peterson Companies have a long track record of successful projects around the region, including National Harbor and Fairfax Corner. The representative from Petersen said that their concept is to bring Fairfax Corner to Loudoun. I have been in discussions with Peterson about this project for over 2 years, and we're currently working on changes to their proffer agreements and site plan. The anchor of this project will be a high end, luxury movie theater with a full restaurant and bar. Hopefully, in the very near future I can tell you more details about that; they are currently in final lease negotiations. Peterson has a very aggressive timeline and are looking for site plan approval in February in order to break ground in March. You can find more information at: <http://peterson.propertycapsule.com/properties/avonlea/type:Retail/#overview>.

Part of our discussion focused on restaurants. Both Beatty and Peterson commented that there is lots of interest from restaurants and noted that our area is underserved. Restaurants are definitely concerned about daytime lunch traffic, but some may be willing to take on a bit of risk if the weekend and nighttime traffic is strong enough. The developers both stated that the performance of the stores that are opening soon will be very helpful—the companies that are opening here are projecting strong numbers, and if that is borne out, you will see more activity. In response to questions, the developers said that they were both in active discussions with “nicer” sit down restaurants.

No discussion of retail in the Route 50 corridor would be complete without a discussion of Trader Joe's, Whole Foods and Wegmans. Everybody wants all three of those companies. I know that there has been outreach because I've personally been involved in some of it. The Avonlea project does have a “lifestyle” type grocery store as part of its plan, which usually means smaller and more upscale. This does not necessarily mean Trader Joe's or Whole Foods as there are other companies in that category—for instance, The Fresh Market at One Loudoun which is a very nice store.

We also briefly discussed other retail developments in the area. Arcola Center is primarily focusing on their residential right now. They will be watching Dulles Landing and the Town Center of Avonlea before developing their retail. I check in with them periodically. There was a question about the last section of Toll Brothers Market Square. Toll Brothers is not active in commercial in our area, and my opinion is that the most likely thing to happen is for them to sell or merge with another project. I would note that they are geographically next door to the Avonlea Project. Also, Van Metre has an application for a very small retail center at Tall Cedars and Gum Spring, could be more of a daily needs type of use.

In the future, the Board might be considering changes to the Kirkpatrick West Commercial Center at Northstar and Braddock. The shopping center is already approved for a Harris Teeter

and a childcare. The developer recently requested a pre-application meeting for additional facilities that include a fast food or bank with drive-through, convenience store with accessory fuel pumps, automobile service station, another bank or restaurant/coffee shop with drive through, and office/retail.

Chairman York gave us some history about how other parts of Loudoun have developed, such as Sterling. It was not that long ago that Route 28 had traffic lights and relatively few retail options, obviously things have changed.

## **Transportation**

### **Route 606**

Last week, I spoke with VDOT and Shirley Contracting regarding the Route 606 widening project. Shirley has submitted their final plans to VDOT and is hoping for final plan approval in January. Instead of waiting on final plan approval, Shirley has gone ahead and notified over 40 property owners regarding the right of way process. They have met with some property owners on site already and are in the process of scheduling meetings with others. If you are impacted and haven't heard from them yet, you soon will.

The start of construction is dependent on right of way acquisition. If all goes well, construction and utility relocation should start in the April to June timeframe. Like the Route 50 project, utility relocation will be significant. Gas, power, cable, and water will be impacted. Loudoun Water will have one of their lines upgraded as well.

The good news compared to Route 50 is that construction itself may not have much of an impact on traffic flow—there aren't any lanes to close. Shirley will use barriers and will be constructing off-line the existing road. If road closures are needed, they will be planned for overnight.

The bad news is there is already a lot of delays and volume on this over-capacity road. Once equipment and people are in place, that can create delays as well, but for the most part, the delays are already there.

I asked VDOT and Shirley to take a look at expediting the Route 606 – Loudoun County Parkway connection which will take place during Phase Two. Once they get further into the work and again, once they see how utility relocation goes, they will have a better idea of what they might be able to do. We are tentatively looking at a March community meeting. By then they will have a more accurate idea of construction plans and dates.

### **Loudoun County Parkway/Center Street**

I met with the South Riding Proprietary to discuss making the safety improvements and configuration permanent. Instead of the flex posts currently in place, I would like the County to construct curbing and berms to improve the maintenance and aesthetics of the intersection. Despite a recent accident, the County and VDOT believe that the new configuration has worked well and has made the intersection much safer. There have been three total accidents

at the intersection since the change, but one was a deer strike and the other was the young driver who was under the influence and driving over 100 mph. We continue to watch Freedom Street and Crosstrails Blvd as well since traffic that used to use Center Street now uses these routes.

### **Speeding along Riding Center Drive**

As previously mentioned, I am moving ahead with a targeted enforcement area in the most heavily populated section of Riding Center Drive that would result in larger fines for speeding and traffic infractions. Both VDOT and County staff believe this road is a good candidate for VDOT's \$200 additional fine program and South Riding has agreed to support the request. This is not going to be a cure-all, but it's the best option available right now. At the South Riding meeting, there were some concerns about the Sheriff's Office enforcement in this area, and I am discussing those with Captain Prugh.

### **Tall Cedars Parkway Extension**

The design phase is 100% complete and the County is in the last phase of land acquisition. There are currently two holdouts and the County is in the process of responding back to their counter-offers. Construction is currently planned to begin in spring of next year.

### **Claiborne Parkway**

This has been delayed due to – again – land acquisition and right of way. The County is in discussion with one remaining HOA about property acquisition and has made an offer. I expect more discussions in January.

### **Braddock/Pleasant Valley**

The Design-Build Team has submitted 60% design plans and a baseline schedule. Last week, meetings were held to discuss a utility issue with a Fairfax County Park Authority project that impacts one utility pole.

VDOT is tentatively looking at the April timeframe for a kick off meeting for this project. Utility relocation and construction begin next spring. This project will take about a year to complete.

### **Stone Springs Boulevard**

The Stone Springs tie into Gum Spring Road will be completed once the winter weather breaks for asphalt to be put down. Van Metre is currently looking at late March for that section being completed. Van Metre will coordinate with VDOT to inspect the work when completed.

### **Bull Run Post Office Road**

The design staff recently conducted site visits and are preparing a design strategy to safely pave the road within the constraints of the Rural Rustic Road program.

## **ANNOUNCEMENTS**

### **Loudoun Express Request**

The County recently improved its online citizen request service. You can submit requests for service and reports your concerns and ideas to County government. Some of the most common topics covered include building permits, zoning enforcement, development, transportation and safety. Click [here](#) for more information.

### **Under Construction Map**

I've been mentioning the Loudoun Capital Improvement Plan online map frequently at Town Hall and HOA meetings recently. The map includes both active and planned projects. Click on any project and you can find out more information. The map is updated quarterly. You can find the map [here](#).

### **Snow Removal Information**

Although we have not seen snow yet, winter is here and reminds us of the necessity of snow removal. VDOT's policies bring the most focus on major roads first (like Route 50), then major local roads and finally neighborhood streets. During a snow event of more than two inches, you can view the status of plowing at [www.VDOTplows.org](http://www.VDOTplows.org). If you feel your street may have been missed you can call 1-800-FOR-ROAD to report an unplowed road. As always, residents can reach out to my office during winter events if they feel there is a situation which warrants extra attention. I will also use my Facebook page to provide updates as needed.

### **County Holiday Closures**

The County Government will be closed from noon on December 24 through December 26 and January 1 through January 2, 2015.

### **Dulles South Food Pantry**

I am pleased to report that we collected 19 pounds of food at my Town Hall meeting. Thank you to those who donated! This holiday season, let us not forget that there are those among us who are less fortunate. The Dulles South Food Pantry is a multi-faith emergency food pantry. They provide nutritious food, personal supplies and other services to those in need in Dulles South and the surrounding area that come to them regardless of income, faith or other criteria. They are an all-volunteer organization focused both on feeding the hungry and promoting the self-sufficiency of those they serve. Donations to the Dulles South Food Pantry are tax deductible. The Dulles South Food Pantry needs canned chicken & tuna; soups and stews with protein; 2 or 5 lbs. bags of rice or rice mixes; pasta; boxed potatoes; breakfast cereal and pancake mix; granola bars; fruit (in cans, plastic or dried); canned beans; pasta sauce (no glass please); seasoning packets; toothpaste; shampoo; and grocery store gift cards in any amount. They are now able to accept

food donations at Dulles South Multipurpose Center located at 24950 Riding Center Drive in South Riding, Virginia during business hours. The Dulles South Food Pantry is open to distribute food the 1st, 3rd and 5th Wednesdays of the month from 5 pm to 8 pm located at 24757 Evergreen Mill Road, Dulles VA 20166. For additional information please visit their website at [www.dsfp.org](http://www.dsfp.org).